

# THE AMERICAN BAR ASSOCIATION

Information Resource Center, Public Affairs Section, U.S. Embassy Jakarta

## Information Package

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## U.S. Embassy Jakarta Mission Statement

Based on mutual respect and shared values, the U.S Mission works with Indonesia to strengthen democracy, sustain the environment, promote prosperity, enhance understanding and ensure security for our people, our nations, and our region

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## The Role of American Bar Association

American Bar Association is the largest voluntary professional association in the world. With nearly 400,000 members, the ABA provides law school accreditation, continuing legal education, information about the law, programs to assist lawyers and judges in their work, and initiatives to improve the legal system for the public.

The ABA was founded on August 21, 1878, in Saratoga Springs, New York, by 100 lawyers from 21 states. The legal profession as we know it today barely existed at that time. Lawyers were generally sole practitioners who trained under a system of apprenticeship. There was no national code of ethics; there was no national organization to serve as a forum for discussion of the increasingly intricate issues involved in legal practice.

The first ABA constitution, which is still substantially the charter of the association, defined the purpose of the ABA as being for "the advancement of the science of jurisprudence, the promotion of the administration of justice and a uniformity of legislation throughout the country...."

Today, the stated mission of the American Bar Association is "To serve equally our members, our profession and the public by defending liberty and delivering justice as the national

representative of the legal profession."

The 4 goals of the association are:

Goal I:  
Serve Our Members.

Objective:  
Provide benefits, programs and services which promote members' professional growth and quality of life.

Goal II:  
Improve Our Profession.

Objectives:  
1. Promote the highest quality legal education.  
2. Promote competence, ethical conduct and professionalism.  
3. Promote pro bono and public service by the legal profession.

Goal III:  
Eliminate Bias and Enhance Diversity.

Objectives:  
1. Promote full and equal participation in the association, our profession, and the justice system by all persons.  
2. Eliminate bias in the legal

profession and the justice system.

Goal IV:  
Advance the Rule of Law.  
Objectives:

1. Increase public understanding of and respect for the rule of law, the legal process, and the role of the legal profession at home and throughout the world.
2. Hold governments accountable under law.
3. Work for just laws, including human rights, and a fair legal process.
4. Assure meaningful access to justice for all persons.
5. Preserve the independence of the legal profession and the judiciary.

The ABA's influence today stems from both the number and diversity of its membership. ABA members represent approximately half of all lawyers in the United States. ABA membership is open to lawyers admitted to practice and in good standing before the bar of any state or territory of the United States

Read more about ABA at:  
<http://www.americanbar.org/>

*Disclaimer: Articles and websites described in this info package present a diversity of views in order to keep the IRC users abreast of current issues in the United States. These items represent the views and opinions of the authors and do not necessary reflect official U.S. Government policy.*

# ABA's Model Rules of Professional Conduct

For more than ninety years, the American Bar Association has provided leadership in legal ethics and professional responsibility through the adoption of professional standards that serve as models of the regulatory law governing the legal profession.

On August 27, 1908, the Association adopted the original Canons of Professional Ethics.

In 1913, the Standing Committee on Professional Ethics of the American Bar Association was established to keep the Association informed about state and local bar activities concerning professional ethics. In 1919 the name of the Committee was changed to the Committee on Professional Ethics and Grievances; its role was expanded in 1922 to include issuing opinions "concerning professional conduct, and particularly concerning the application of the tenets of ethics thereto." In 1958 the Committee on Professional Ethics and Grievances was separated into two committees: a Committee on Professional Grievances, with authority to review issues of professional misconduct, and a Committee on Professional Ethics with responsibility to express its

opinion concerning proper professional and judicial conduct. The Committee on Professional Grievances was discontinued in 1971. The name of the Committee on Professional Ethics was changed to the Committee on Ethics and Professional Responsibility in 1971 and remains so.

In 1964, at the request of President Lewis F. Powell Jr., the House of Delegates of the American Bar Association created a Special Committee on Evaluation of Ethical Standards (the "Wright Committee") to assess whether changes should be made in the then-current Canons of Professional Ethics. In response, the Committee produced the Model Code of Professional Responsibility. The Model Code was adopted by the House of Delegates on August 12, 1969, and subsequently by the vast majority of state and federal jurisdictions.

In 1977, the American Bar Association created the Commission on Evaluation of Professional Standards to undertake a comprehensive rethinking of the ethical premises and problems of the legal profession. Upon evaluating the Model Code and determining that amendment of the Code would not achieve a

comprehensive statement of the law governing the legal profession, the Commission commenced a six-year study and drafting process that produced the Model Rules of Professional Conduct. The Model Rules were adopted by the House of Delegates of the American Bar Association on August 2, 1983. At the time this edition went to press, all but eight of the jurisdictions had adopted new professional standards based on these Model Rules.

Between 1983 and 2002, the House amended the Rules and Comments on fourteen different occasions. In 1997, the American Bar Association created the Commission on Evaluation of the Rules of Professional Conduct ("Ethics 2000 Commission") to comprehensively review the Model Rules and propose amendments as deemed appropriate. On February 5, 2002 the House of Delegates adopted a series of amendments that arose from this process.

In 2000, the American Bar Association created the Commission on Multijurisdictional Practice to research, study and report on the application of current ethics and bar admission rules to the multijurisdictional practice of

law. On August 12, 2002 the House of Delegates adopted amendments to Rules 5.5 and 8.5 as a result of the Commission's work and recommendations.

The American Bar Association continues to pursue its goal of assuring the highest standards of professional competence and ethical conduct. The Standing Committee on Ethics and Professional Responsibility, charged with interpreting the professional standards of the Association and recommending appropriate amendments and clarifications, issues opinions interpreting the Model Rules of Professional Conduct and the Code of Judicial Conduct. The opinions of the Committee are published by the American Bar Association in a series of hard bound volumes containing opinions from 1924 through 1998 and the current loose-leaf subscription service, Recent Ethics Opinions, starting in 1999.

Read more about Model Rules of Professional Conduct at

<http://goo.gl/JOhhF>

## Related Links:

Center for Professional Responsibility

<http://goo.gl/dsVmd>

The Lawyer's Resource Center

<http://goo.gl/HXtgO>

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